

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested.

Claims 1-16, 20-35, 38-54, 70, 74-98, and 100-125 are pending in the present application, Claims 31-35, 38-54, 70, 74-98, and 100-125 having been withdrawn from consideration.

In the outstanding Office Action, Claims 25-30 were rejected under 35 U.S.C. §101 as being directed toward non-statutory subject matter; and Claims 1-16 and 20-30 were indicated as being allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. §101.

Applicants thank the Examiner for the indication of allowable subject matter.

Applicants respectfully traverse the rejections under 35 U.S.C. §101. Claims 25-30 are dependent claims, and are statutory for at least the reasons their respective independent claim is statutory.

Office personnel have the burden to establish a *prima facie* case that the claimed invention ***as a whole*** is directed to solely an abstract idea or to manipulation of abstract ideas or does not produce a useful result. ***Only when the claim is devoid of any limitation to a practical application*** in the technological arts should it be rejected under 35 U.S.C. §101.<sup>1</sup> Compare *Musgrave*, 431 F.2d at 893, 167 USPQ at 289; *In re Foster*, 438 F.2d 1011, 1013, 169 USPQ 99, 101 (CCPA 1971). Since Claims 25-30 depend from statutory claims, they are not directed to an abstract idea when considered as a whole (i.e., in combination with the elements of their respective independent claims). Any description of a signal in Claims 25-30 does not mean that the whole invention defined by Claims 25-30 is devoid of any

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<sup>1</sup> See, MPEP § 2106.

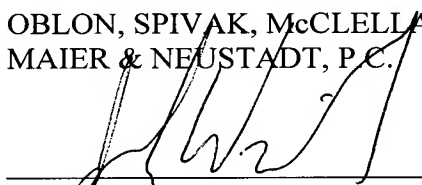
limitation to a practical application in the technological arts. Claims 25-30 are not signal claims. Rather, Claims 25-30 describe the structural elements that act with respect to signals.

Accordingly, the rejection under 35 U.S.C. §101 is traversed.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for formal allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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